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June 25, 2024

Via CM/ECF

The Honorable Laurel Beeler
United States District Court
Northern District of California
450 Golden Gate Avenue
San Francisco, California 94102

Re: *Stebbins v. John Doe d/b/a Creetosis et al.*, No. 3:24-cv-03727-LB

Your Honor:

This firm represents YouTube, LLC, a defendant in the above-captioned action filed by Plaintiff David Stebbins. This action is at least the fourth copyright infringement lawsuit that Mr. Stebbins has recently filed against YouTube and/or its affiliates Alphabet Inc. and Google LLC in this District.¹ Mr. Stebbins has also named various users of YouTube's service as defendants in those lawsuits, and filed at least three other lawsuits in this District against YouTube users in the last two years.² In total, he has brought over 40 lawsuits in federal court alone.³ **He is an adjudicated vexatious litigant in multiple venues, including this District.**

We write to notify the Court of Plaintiff's failure to comply with a vexatious litigant Order issued by The Honorable Trina L. Thompson on August 31, 2023 in *Stebbins v. Google LLC*, No. 3:23-cv-00322-TLT (N.D. Cal.), ECF No. 71, which declared Plaintiff a vexatious

¹ See *Stebbins v. Polano et al.*, No. 4:21-cv-04184-JSW (N.D. Cal. filed June 2, 2021), appeal pending, No. 23-15531 (9th Cir. docketed Apr. 10, 2023); *Stebbins v. Rebolo et al.*, No. 4:22-cv-00546-JSW (N.D. Cal. filed Jan. 27, 2022); *Stebbins v. Google LLC*, No. 3:23-cv-00322-TLT (N.D. Cal. filed Jan. 20, 2023), appeal pending, No. 24-1936 (9th Cir. docketed Apr. 1, 2024). Plaintiff's lawsuits generally assert claims of copyright infringement and/or defamation. As one court in this District observed, "it appears that the motive for Plaintiff's ... lawsuits are to stop harassment from other users online," but "that is not a proper use of copyright law." *Stebbins v. Google LLC*, 2023 WL 6139454, at *10 (N.D. Cal. Aug. 31, 2023).

² See *Stebbins v. Jarrod Jones*, No. 3:22-cv-04082-AGT (N.D. Cal. filed July 11, 2022); *Stebbins v. John Doe d/b/a Sidalpha*, No. 3:23-cv-00321-MMC (N.D. Cal. filed Jan. 20, 2023); *Stebbins v. Garcia Baz*, No. 3:24-cv-00398-LJC (N.D. Cal. filed Jan. 10, 2024).

³ This figure is based on a PACER search for civil cases filed by "David Stebbins."

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litigant in the Northern District of California. Judge Thompson's Order, attached as Exhibit A, required:

[In] (1) any future actions against Google LLC, YouTube LLC, Alphabet Inc., or any of their affiliates, or (2) any claim of copyright infringement or copyright-related claims against any defendant, Mr. Stebbins must first provide a copy of his complaint and this Order to the Clerk of this Court, along with a letter requesting the complaint be filed. The Clerk shall then forward the complaint, letter, and copy of this Order to the Duty Judge for a determination whether the complaint should be accepted for filing. Plaintiff is warned that any violation of this order will expose him to contempt proceedings and appropriate sanctions, and any action filed in violation of this Order will be subject to dismissal.

Furthermore, in any future action in this District in which Mr. Stebbins seeks to proceed *in forma pauperis*, a copy of this Order shall be attached to the application seeking to proceed *in forma pauperis* along with a statement seeking screening of the complaint and a statement explaining why the action should be allowed to proceed.

Id. at 18. (emphasis added).

On June 21, 2024, Plaintiff filed an application to proceed *in forma pauperis* in this action. *See* ECF No. 2. Plaintiff's application did not include a copy of Judge Thompson's Order or the required statement, in violation of that Order. *See* ECF No. 2.⁴ The Court granted the IFP application yesterday. *See* ECF No. 6. It is not clear whether, in doing so, the Court was aware of Mr. Stebbins' vexatious history. Accordingly, we are herewith submitting Judge Thompson's Order and ask that the Court consider it in connection with Mr. Stebbins' IFP status and in screening the Complaint pursuant to that Order and 28 U.S.C. § 1915(e)(2)(B).

⁴ Plaintiff filed a letter with his Complaint requesting that the Complaint be accepted for filing, which attached a copy of the final page of Judge Thompson's Order, but not the full Order. *See* ECF No. 1-1.

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Respectfully submitted,

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